**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.17250 of 2006**

**Dated:28.08.2006**

**Between:**

Chinthikindhi Kistaiah and others.

…Petitioners

and

The Govt. of A.P., and others.

…Respondents

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.17250 of 2006**

**ORDER:**

There are as many as forty four petitioners in this Writ Petition. They claim that for over six decades they or their predecessors have been cultivating the land admeasuring Acs.40.00 in Survey No.472 of Bowrampet Village, Qutbullapur Mandal in Ranga Reddy District to eke out their livelihood. They also allegedly made representations to the Mandal Revenue Officer for assignment of the land, in vain. For the purpose of this Writ Petition, they allege that after 29.12.2005, when the petitioners approached for assignment, respondents 3 and 4 are regularly asking them to vacate the land. Apprehending coercive dispossession, the present Writ Petition is filed.

The matter was initially listed for preliminary hearing on 21.08.2006 when the learned Assistant Government Pleader for Revenue (General) sought time for getting instructions. Today when the case is called, again the learned Assistant Government Pleader on instructions submits that the petitioners are not in possession of the land, that the land in Survey No.472 admeasuring Acs.31.34 guntas situated at Bowrampet Village, Qutbullapur Mandal in Ranga Reddy District, is classified as Gairan Sarkari (Government Poramboke), and that in view of the orders in G.O.Ms.No.1409, dated 19.08.1978, imposing a ban for assignment of a Government land in the

surrounding areas of Hyderabad, the land cannot be assigned to the petitioners. Learned Assistant Government Pleader also submits that as per the orders of the Government in G.O.Ms.Nos.242, 243 and 244, dated 28.02.2005, the land in Survey No.472 of Bowrampet Village is included as Urban Land Bank, and therefore, assignment of the same is prohibited. He also denies the allegation that respondents 3 and 4 threatened the petitioners with dispossession alleging that the petitioners are not in possession.

Except filing the affidavit accompanying the Writ Petition, the petitioners have not annexed any documents in support of the allegation that they are in possession of the land for over six decades. Yet, the representation dated 29.12.2005 made by the petitioners, a copy of which is annexed to the Writ Petition, cannot be treated as unimpeachable evidence to support their plea of possession. Be that as it is, as rightly pointed out by the learned Assistant Government Pleader, in view of the prohibitory orders in G.O.Ms.No.1409, dated 19.08.1978, it is not competent to the Mandal Revenue Officer to assign the land. The petitioners may approach the revenue authorities for assignment of suitable land elsewhere.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

28.08.2006
vs